IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

IN RE MICROSOFT CORP. ANTITRUST LITIGATION

This Document relates to:

MDL Docket No. 1332

Burst.com, Inc. v. Microsoft Corp.

Hon. J. Frederick Motz

Civil Action No. C-02-02952

MICROSOFT CORPORATION'S MOTION TO FILE <u>CERTAIN MATERIAL UNDER SEAL</u>

Defendant Microsoft Corporation ("Microsoft") hereby moves, pursuant to Local Rule 105.11, for an order directing the filing of the following material under seal: Microsoft's Memorandum in Opposition to Burst's Motion for Spoliation Instruction, Witness Preclusion, and Related Relief, Exhibit Index and Exhibits 1-42 thereto.

Microsoft respectfully requests that this document be filed under seal because it includes information designated as "Confidential" or "Highly Confidential" pursuant to the Stipulated Revised Protective Order entered by the Court on September 5, 2000. Plaintiff's original motion was filed under seal.

Dated: December 1, 2004

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on December 1, 2004, I caused a copy of the foregoing Microsoft Corporation's Motion to File Certain Material Under Seal to be sent via overnight delivery to:

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